

**MINUTES OF THE REGULAR MEETING OF THE
CHARLOTTE COUNTY CODE ENFORCEMENT BOARD
18500 Murdock Circle, Room 119
Port Charlotte, Florida**

April 5, 2012

❖Cases may not always be heard in the order as they appear on the agenda❖

I. CALL TO ORDER

Chairman *Alan LeBeau* called the meeting to order at 9:00 am.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Members Present:

Alan LeBeau
Richard Adomatis
Suzy Hackett
Joan Hayes

Excused Absence

Kathy Damewood
Charles Lindberg

IV. SWEARING IN OF ALL THOSE GIVING TESTIMONY TODAY

Mike Wilson, Board Attorney, administered oath to those who gave testimony.

V. NEXT MEETING DATE

May 2, 2012

VI. APPROVAL OF MINUTES

Suzy Hackett moved to approve the minutes of **March 7, 2012**. The motion was seconded by *Richard Adomatis* and was passed unanimously

VII. AGENDA CHANGES

COD-11-01907 – Pulled from agenda
COD-12-00311 – Pulled from agenda

VIII. OLD BUSINESS - VACATE ORDER

The below case will need to have the Order issued by the Board on March 7, 2012, vacated due to lack of service on the Respondent.

**Case No. COD-11-03104, Lauren Maxwell, 1444
Rommel Street, Port Charlotte [FBC Sections 105.4,
105.4.1.2, & 109.3]**

Suzy Hackett moved to vacate the Order issued by the Board on March 7, 2012. The motion was seconded by *Richard Adomatis* and was passed unanimously.

IX. CONSENT - AFFIDAVITS OF NONCOMPLIANCE FINES

All matters listed under this item are considered to be routine and action will be accomplished by one motion without separate discussion of each item. If discussion is desired by a member of the Board, that item(s) will be removed from the Consent Agenda and considered separately. **Each case has been assessed with an additional \$18.50 for the cost of recording the lien.**

- A. **Case No. 2006-532B**, *Richard Graham, 27249 Whitman Avenue, Punta Gorda – Third Affidavit of Noncompliance* - \$118.50.
- B. **Case No. 2008-567B**, *Chi Lin Chiang, 5188 Anderson Road, Port Charlotte – Fourth Affidavit of Noncompliance* - \$27,418.50.
- C. **Case No. 2009-492**, *Daniel Thompson, 110 Edgevale Place, Rotonda – Second Affidavit of Noncompliance* - \$118.50.

Suzy Hackett moved to **DENY** the Affidavit of Noncompliance. The motion was seconded by *Richard Adomatis* and was passed unanimously.

- D. **Case No. 2009-07-0355C**, *Henry Richard & Carol Knight, 155 Croop Lane, Port Charlotte- Fourth Affidavit of Noncompliance-* \$5,618.50.
- E. **Case No. 2009-10-0057C**, *Daniel Parabak, 22191 Oneida Avenue, Port Charlotte – Second Affidavit of Noncompliance* - \$5,618.50.
- F. **Case No. COD-10-00487**, *Keslere Bonhomme, 2182 Bragg Court, Port Charlotte – Third Affidavit of Noncompliance* - \$6,918.50.
- G. **Case No. Cod-10-00500**, *Washington Mutual, James Hall, & Diana Hall, 1150 Shore View Dr, Englewood – Third Affidavit of Noncompliance* - \$20,018.50.
- H. **Case No. COD-10-00572**, *John Linscott & Trista Linscott, 2464 Deedra Street, Port Charlotte - Sixth Affidavit of Noncompliance* - \$5,418.50.

- I. **Case No. COD-10-00585**, Craig V. Spencer, Diana M. Spencer, & Bank of New York Mellon, 2304 Dallas Street, Port Charlotte - Sixth Affidavit of Noncompliance - \$5,418.50.

James Goetz represented the bank in this matter. The Spencer's filed for bankruptcy and it has been granted and his concern is that the liens will exceed the value of the home.

Suzy Hackett moved to continue this case to June 6, 2012. The motion was seconded by *Joan Hayes* and was passed unanimously.

- J. **Case No. COD-10-00780**, Lajos Szathmari, 3193 Crestwood Drive, Port Charlotte - Sixth Affidavit of Noncompliance - \$5,318.50.
- K. **Case No. COD-10-01010**, Joseph Gaeta, WM Specialty Mortgage, & JPMC Specialty Mortgage, 22241 Beverly Avenue, Port Charlotte - Sixth Affidavit of Noncompliance - \$5,718.50.
- L. **Case No. COD-10-01013**, Brian Schebel, Jennifer Walker, & LaSalle Bank National Association, 21354 Percy Avenue, Port Charlotte – Fourth Affidavit of Noncompliance - \$5,018.50.
- M. **Case No. COD-10-01201**, Estate of Mark Woodmansee, 11407 Baggot Avenue, Englewood – Second Affidavit of Noncompliance - \$118.50.
- N. **Case No. COD-10-01291**, Alfonso S. Lloyd & Avril M. Lloyd, 21929 Felton Avenue, Port Charlotte - Third Affidavit of Noncompliance - \$8,118.50.
- O. **Case No. COD-10-01300**, Dennis Willis & Grace Willis, 1142 Yorkshire Street, Port Charlotte – Second Affidavit of Noncompliance - \$5,418.50.
- P. **Case No. COD-10-01337**, Kevin Barnard & Cindy Barnard, 3273 Easy Street, Port Charlotte – Third Affidavit of Noncompliance - \$8,618.50.
- Q. **Case No. COD-10-01372**, TLH-Church, Inc., 22041 Seaton Avenue, Port Charlotte – Second Affidavit of Noncompliance - \$242.00.

- R. **Case No. COD-10-01496**, Mark Williams, 22111 Marshall Avenue, Port Charlotte – Third Affidavit of Noncompliance - \$6,018.50.
- S. **Case No. COD-10-01541**, BAC Home Loans Servicing, L.P., 11905 Florence Avenue, Port Charlotte – Affidavit of Noncompliance - \$218.50.
- T. **Case No. COD-10-01563**, Atlas FL I SPE, LLC, 11701 Anglers Club Drive, Placida – Third Affidavit of Noncompliance - \$21,018.50.
- U. **Case No. COD-10-01656**, Robert Gannon, 4386 Sibley Bay Street, Port Charlotte – Third Affidavit of Noncompliance - \$5,618.50.
- V. **Case No. COD-10-01722**, Ryan Burlew, 2192 Alton Road, Port Charlotte – Second Affidavit of Noncompliance - \$3,118.50.
- W. **Case No. COD-10-01729**, Christine Sprague, 271 Malpelo Avenue, Punta Gorda – Second Affidavit of Noncompliance - \$5,518.50.
- X. **Case No. COD-10-01731**, Gaetjens Polynice & Margareth Polynice, 23256 Peachland Boulevard, Port Charlotte – Second Affidavit of Noncompliance - \$7,918.50.
- Y. **Case No. COD-10-01773**, Astrid Caragol, 22080 Belinda Avenue, Port Charlotte – Affidavit of Noncompliance - \$118.50.
- Z. **Case No. COD-11-00010**, Danis Franco & National City Mortgage, 8240 Dafoe Street, Port Charlotte – Affidavit of Noncompliance - \$622.00.
- AA. **Case No. COD-11-00028**, Marcia Mercado, 9439 Acco Avenue, Englewood – Second Affidavit of Noncompliance - \$11,918.50.
- BB. **Case No. COD-11-00473**, Patrick Brill, 72 Golfview Road N., Rotonda West – Second Affidavit of Noncompliance - \$14,718.50.

- CC. **Case No. COD-11-00685**, Jean Sully & Jessica F. Sully, 22115 Midway Boulevard, Port Charlotte – Second Affidavit of Noncompliance - \$7,818.50.
- DD. **Case No. COD-11-00686**, Bruce Richard Vilardi, 22129 Midway Boulevard, Port Charlotte – Second Affidavit of Noncompliance - \$4,618.50.
- EE. **Case No. COD-11-00724**, Doris Waters, 3284 Easy Street, Port Charlotte – Second Affidavit of Noncompliance - \$3,038.50.
- FF. **Case No. COD-11-00911**, Mario Escalera & Carleen Escalera, 21387 Meehan Avenue, Port Charlotte – Second Affidavit of Noncompliance - \$1,342.50.
- GG. **Case No. COD-11-01138**, Joseph Caprarella, Sr. & Lise Caprarella, 21259 Coulton Avenue, Port Charlotte – Affidavit of Noncompliance - \$118.50.
- HH. **Case No. COD-11-01159**, Michael Minogue & Shirley Minogue, 409 Hyacinth Street, Port Charlotte – Affidavit of Noncompliance - \$118.50.
- II. **Case No. COD-11-01189**, Christine Marfut, 21219 Glendale Avenue, Port Charlotte – Affidavit of Noncompliance - \$118.50 and Second Affidavit of Noncompliance - \$718.50.
- JJ. **Case No. COD-11-01244**, Placido Amendolia, 21551 Kenyon Avenue, Port Charlotte – Affidavit of Noncompliance - \$516.50.
- KK. **Case No. COD-11-01612**, Richard Barnett, 22122 Beverly Avenue, Port Charlotte – Second Affidavit of Noncompliance - \$2,242.00.
- LL. **Case No. COD-11-01684**, Anthony John Vogel, 1570 Scotten Street, Port Charlotte – Affidavit of Noncompliance - \$568.50.
- MM. **Case No. COD-11-01855**, Vijaykumar Patel, 643 Hartford Drive, Port Charlotte – Affidavit of Noncompliance - \$468.50.

- NN. **Case No. COD-11-01907**, Cheerful Taverns, Inc. & The Bank of New York Mellon, 21306 Glendale Avenue, Port Charlotte – Affidavit of Noncompliance - \$118.50. - **Pulled from agenda**
- OO. **Case No. COD-11-01933**, Joseph McGarth, Trustee of the J.J.M. Normandy Drive Revocable Trust, 3312 Normandy Drive, Port Charlotte – Affidavit of Noncompliance - \$118.50.
- PP. **Case No. COD-11-02006**, Henry Lefler, Diane Lefler, Carl Ritter, & Ada Ritter, 426 Tabor Street, Punta Gorda – Affidavit of Noncompliance - \$318.50.
- QQ. **Case No. COD-11-02536**, Estate of Gail D. Noel, 2905 Bourbon Street, Englewood – Affidavit of Noncompliance - \$118.50.
- RR. **Case No. COD-11-02546**, Kenneth Hicks & Alicia Hicks, 476 Blarney Street, Port Charlotte – Affidavit of Noncompliance - \$118.50.

Kenneth and Alicia Hicks were present and provide testimony to the Board.

Charlie Bush Certified Code Compliance Officer provided testimony to the Board.

Suzy Hackett moved to continue this case to May 2, 2012. The motion was seconded by *Richard Adomatis* and was passed unanimously.

- SS. **Case No. COD-11-02653**, Zdenka Rozsypalkova, 21123 Glendale Avenue, Port Charlotte – Affidavit of Noncompliance - \$142.00.
- TT. **Case No. COD-11-02718**, Michael A. Carnovale, 21306 Cottonwood Avenue, Port Charlotte – Affidavit of Noncompliance - \$118.50.
- UU. **Case No. COD-11-02775**, Derek L. Snider, 3357 Edgehill Terrace, Port Charlotte – Affidavit of Noncompliance - \$242.00.

Suzy Hackett moved to approve the fines as stated in the Affidavits of Noncompliance with the exception of **Case Nos. 2009-492, COD-10-00585, and COD-11-02546**. The motion was seconded by *Richard Adomatis* and was passed unanimously.

IV. **OLD BUSINESS:**
NONE

X. **LIENS - APPROVAL TO SEND TO BCC FOR FURTHER CONSIDERATION**
NONE

IX. **NEW BUSINESS**

Case No. COD-11-02949, James Natherson, 13156 Dodds Court, Port Charlotte [FBC Sections 105.4 & 109.3; & IPMC Sections 303.1 & 303.2]

Dan DeValk Certified Code Compliance Officer provided testimony and presented photographs.

Richard Casa, Custom Pools was present and provided testimony to the Board.

Richard Adomatis moved the Respondent is in violation as charged. The Respondent has 30 days from the date the Order is signed to fix, repair, or replace the International Property Maintenance Code violations to bring the property into compliance; to secure the pool in accordance with Florida Building Code Section 424.2.17; and take the necessary steps to renew the expired permit or remove any improvements from the property; and all final inspections must be obtained in accordance with the Florida Building Code. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$100.00 per day. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by **Suzy Hackett** and was passed unanimously.

Case No. COD-11-03019, Donald Muse & Rebecca Parker, 12479 Maryland Avenue, Punta Gorda [Section 3-9-5(b); & FBC Section 105.1; & IPMC Sections 301.2, 301.3, 302.1, 304.1, 304.9, 304.13, 305.1, 501.2, 504.1, 505.4, 604.1, & 604.3]

Tom Gravagna Certified Code Compliance Officer provided testimony and presented photographs.

James Disher, holds the mortgage on the property was present and provided testimony to the Board.

Richard Adomatis moved the Respondents are in violation as charged. The Respondents have 30 days from the date the order is signed to fix, repair, or replace the International Property Maintenance Code violations to bring the property into compliance; and to apply for and obtain all necessary permits. If the application for the permit is rejected, new plans shall be resubmitted within 5 days from the date of rejection; and all final inspections must be done in accordance with the Florida Building Code. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$100.00 per day. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by **Joan Hayes** and was passed unanimously.

**Case No. COD-12-00001, Gloria Blanding, 27049
Treadmill Drive, Punta Gorda [Sections 3-9-32(d), 3-9-61,
& 3-9-82.1]**

Tom Gravagna Certified Code Compliance Officer provided testimony and presented photographs.

Gloria Blanding was present and provided testimony to the Board.

Joan Hayes moved the Respondent is in violation as charged. The Respondent has 30 days from the date the Order is signed to clear the zoning violations. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$100.00 per day. A cease and desist order is issued for 2 years for the zoning violations. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by **Richard Adomatis** with one (1) opposing vote **Suzy Hackett** was passed unanimously.

**Case No. COD-12-00017, Junior Oviedo & HSBC Bank,
25471 Islas Drive, Punta Gorda [Section 3-2-115]**

Tom Gravagna Certified Code Compliance Officer provided testimony and presented photographs.

A representative from the bank was present and provided testimony to the Board.

Suzy Hackett moved the Respondents are in violation as charged. The Respondents have 15 days from the rendition of this Order to comply with Section 3-2-115. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$100.00 per day. The motion was seconded by *Richard Adomatis* and was passed unanimously.

Case No. COD-11-01973, *Peter Vittoratos, 107 Cousley Drive, Port Charlotte [Section 3-9-5(b); & FBC Section 105.1; & IPMC Sections 301.2, 304.9, 304.13, 304.15, 305.1, 305.3 305.6, 601.2, 604.1, & 605.1]*

Ted Campos represented Peter Vittoratos in this matter. He stated the property currently under contract and requested a continuance.

Suzy Hackett moved to continue this case to the June 6, 2012, Code Enforcement Board hearing. The motion was seconded by *Richard Adomatis* and was passed unanimously.

Case No. COD-11-02987, *Charlene Diefel & Federal Home Loan Mortgage, 158 Barre Drive, Port Charlotte [Sections 3-9-32(d) & 3-9-82.1; & IPMC Sections 108.1, 108.1.3, 301.2, 301.3, 302.1, 303.1, 303.2, 304.13, 304.13.1, & 304.15]*

Rick Towne Certified Code Compliance Officer provided testimony and presented photographs.

James Goetz represented the lender in this matter and provided testimony to the Board.

Suzy Hackett moved the Respondents are in violation as charged with the exception of Sections 3-9-32(d) & 3-9-82.1. The Respondents have 60 days from the date this Order is signed to fix, repair, or replace the International Property Maintenance Code violations; and to apply for and obtain any necessary permits to bring the property into compliance. All final inspections must be obtained in accordance with the Florida Building Code. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$100.00 per day. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs.

The motion was seconded by *Joan Hayes* and was passed unanimously.

Case No. Cod-12-00351, Jay Oleson & Tammy Oleson,
21441 Dollard Avenue, Port Charlotte [Sections 3-9-32(d)
& 3-9-82.1]

Terri Barnett Certified Code Compliance Officer provided testimony and presented photographs.

Jay Oleson was present and provided testimony to the Board.

Shawn Cullinan, Zoning Official was present and provided testimony to the Board.

Suzy Hackett moved the Respondents are in violation as charged. The Respondents have 15 days from the date the written Order is signed to clear the zoning violations. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$100.00 per day. A cease and desist order is issued for 2 years for the zoning violations. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by *Richard Adomatis* and was passed unanimously.

Case No. COD-11-01812, Chantal Blanchard, 22395
Peachland Boulevard, Port Charlotte [Sections 3-9-32(d),
3-9-62.1, 3-9-82.1, & 3-9-91]

Charlie Bush Certified Code Compliance Officer provided testimony and presented photographs.

Armand Blanchard represented his sister, Chantal Blanchard, in this matter and provided testimony to the Board.

Shawn Cullinan, Zoning Official was present and provided testimony to the Board.

A lengthy discussion ensued regarding this property and the two (2) properties located on either side of the property.

Suzy Hackett moved to continue this case to May 2, 2012. The motion was seconded by *Richard Adomatis* and was passed unanimously.

Case No. COD-11-02934, *Daniel Thompson & Kristi Thompson*, 163 Australian Drive, Rotonda FBC Sections 105.4 & 109.3]

Darcie Nicolosi Certified Code Compliance Officer provided testimony and presented photographs.

Suzy Hackett moved the Respondent is in violation as charged. The Respondent has 30 days from the rendition of this Order to take the necessary steps to renew the expired permit and all final inspections must be obtained in accordance with the Florida Building Code. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$100.00 per day. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by *Joan Hayes* and was passed unanimously.

Case No. COD-11-02331, Florida First Escrow Company, as Trustee for the 2560 Elkcarn Blvd Trust Dated May, 6, 2005, 2560 Elkcarn Boulevard, Port Charlotte [IPMC Sections 301.2, 304.2, 304.7, 304.8, 304.13, & 304.13.2]

Rhonda Leonard Certified Code Compliance Officer provided testimony and presented photographs.

Patrick White represented BB&T Bank was present and provided testimony to the Board.

Richard Adomatis moved the Respondent is in violation as charged. The Respondent has 60 days from the rendition of this Order to fix, repair, or replace the International Property Maintenance Code violations to bring the property into compliance. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$200.00 per day. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by *Suzy Hackett* and was passed unanimously.

Case No. COD-11-02452, Florida First Escrow Company, as Trustee, 22094 Marshall Avenue, Port Charlotte [Sections 2-5-72, 3-2-115, 3-9-32(d), & 3-9-82.1; & IPMC Sections 107.4, 108.1, 108.1.1, 108.1.3, 108.1.5, 108.1.5 (3), 108.1.5 (9), 110.1, 301.2, 304.1, 304.1.1(5) & (8), 304.2, 304.6, 304.7, 304.13.2, 304.15, 305.1, 305.3, 306.1, 306.1.1(6), 306.6.1.1(6.1 & 6.2), 403.1, 403.2, 604.3, & 607.1]

Rhonda Leonard Certified Code Compliance Officer provided testimony and presented photographs.

Patrick White represented BB&T Bank in this matter provided testimony to the Board.

Suzy Hackett moved the Respondent is in violation as charged. The Respondent has 30 days from the rendition of this Order to comply with Section 3-2-115 and 60 days to clear the zoning violations; to fix, repair, or replace the International Property Maintenance Code violations and if necessary apply for all applicable permits to bring the property into compliance or obtain a demolition permit to demolish the structure. All final inspections must be obtained in accordance with the Florida Building Code. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$200.00 per day. A cease and desist order is issued for 2 years for the zoning violations. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by **Richard Adomatis** and was passed unanimously.

Case No. COD-11-02609, Kolleen Gaeta & Joseph Gaeta, Jr., as Trustees Under the Provisions of the Kolleen Gaeta Revocable Trust U/A/D 9/4/2011, 3052 Harbor Boulevard, Port Charlotte [Sections 3-2-115 & IPMC Sections 301.2, 304.1, 304.2, 304.6, 304.13, 304.15, & 604.3]

Rhonda Leonard Certified Code Compliance Officer provided testimony and presented photographs.

Kolleen Gaeta was present and provided testimony to the Board.

Suzy Hackett moved the Respondents are in violation as charged. The

Respondents have 30 days from the rendition of this Order to comply with Section 3-2-115 and to fix, repair, or replace the International Property Maintenance Code violations to bring the property into compliance. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$200.00 per day. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by ***Richard Adomatis*** and was passed unanimously.

***Case No. COD-11-02632, Mertella Delchon, 2449
Starlite Lane, Port Charlotte [Section 3-9-5(b); & FBC
Section 105.1; & IPMC Sections 301.2, 301.3, 305.1,
305.3, 602.1, 602.2, 602.3, & 604.3]***

Rhonda Leonard Certified Code Compliance Officer provided testimony and presented photographs.

Suzy Hackett moved the Respondent is in violation as charged. The Respondent has 30 days from the rendition of this Order to fix, repair, or replace the International Property Maintenance Code violations to bring the property into compliance; and to apply for and obtain all necessary permits. If the application for the permit is rejected, new plans shall be resubmitted within 5 days from the date of rejection; and all final inspections must be done in accordance with the Florida Building Code. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$100.00 per day. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by ***Joan Hayes*** and was passed unanimously.

***Case No. COD-10-01553, Dion Murphy, 3332 Normandy
Drive, Port Charlotte [FBC Sections 105.4 & 109.3; &
IPMC Sections 301.2, 301.3, 304.2, & 304.6]***

Rhonda Leonard Certified Code Compliance Officer provided testimony and presented photographs.

Suzy Hackett moved the Respondent is in violation as charged. The Respondent has 30 days from the rendition of this Order to fix, repair, or replace the International Property Maintenance Code violations to bring the

property into compliance; take the necessary steps to renew the expired permit or remove all improvements from the property; and all final inspections must be obtained in accordance with the Florida Building Code. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$100.00 per day. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by *Richard Adomatis* and was passed unanimously.

Case No. COD-11-01903, *Gina Robertson, a/k/a Gina Robertson-Smith, 2436 Duke Lane, Port Charlotte* [Sections 3-9-32(d) & 3-9-82.1; & FBC Sections 105.4 & 109.3; & IPMC Sections 301.2 & 302.7]

This case was continued due to lack of service.

Case No. COD-11-02844, *Terry Davis, Paula Davis, & Suntrust Mortgage, Inc., 2514 Lakeshore Circle, Port Charlotte* [Sections 3-2-115, 3-2-214, 3-2-215, 3-9-32(d), & 3-9-82.1; & FBC Sections 424.2.17, 105.4, & 109.3; & IPMC Sections 301.2, 301.3, 302.7, 303.1, 303.2, 304.1, 304.2, 304.6, 304.10, 304.15, 305.1, 505.1, 505.4, 602.1, 602.3, 604.1, & 604.3]

Rhonda Leonard Certified Code Compliance Officer provided testimony and presented photographs.

Suzy Hackett moved the Respondents are in violation as charged. The Respondent has 30 days from the rendition of this Order to clear the zoning violations; comply with Section 3-2-115; to fix, repair, or replace the International Property Maintenance Code violations; to secure the pool in accordance with the Florida Building Code 424.2.17; and to apply for and obtain any necessary permits to bring the property into compliance. All final inspections must be obtained in accordance with the Florida Building Code. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$100.00 per day. A cease and desist order is issued for 2 years for the zoning violations. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by *Richard Adomatis* and was passed unanimously.

Case No. COD-11-02890, *Amanda Singh & Countrywide Home Loans, 3348 Normandy Drive, Port Charlotte [FBC Sections 105.4 & 109.3; & IPMC Sections 301.2, 304.2, 304.6, 304.13, 304.13.1, & 604.3]*

Rhonda Leonard Certified Code Compliance Officer provided testimony and presented photographs.

Suzy Hackett moved the Respondents are in violation as charged. The Respondents have 30 days from the rendition of this Order to fix, repair, or replace the International Property Maintenance Code violations to bring the property into compliance; to take the necessary steps to renew the expired permit; and all final inspections must be obtained in accordance with the Florida Building Code. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$100.00 per day. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by **Joan Hayes** and was passed unanimously.

Case No. COD-11-02932, *Circle K Stores, Inc., 2646 Tamiami Trail, Port Charlotte [Sections 3-9-5(b), 3-9-42(d), & 3-9-82.1; & FBC Section 105.1]*

Rhonda Leonard Certified Code Compliance Officer provided testimony and presented photographs.

Suzy Hackett moved the Respondent is in violation as charged. The Respondent has 30 days from the rendition of this Order to clear the zoning violations and to apply for and obtain any necessary permits to bring the property into compliance. If the application for the permit is rejected, new plans shall be resubmitted within 5 days from the date of rejection and all final inspections must be obtained in accordance with the Florida Building Code. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$200.00 per day. A cease and desist order is issued for 2 years for the zoning violations. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by **Richard Adomatis** and was passed unanimously.

Case No. COD-11-03118, *Triad Dominion Equities, 2256 Birchcrest Boulevard, Port Charlotte* [Sections 2-5-72, 3-2-214, 3-2-215, 3-9-5(b), 3-9-32(d), & 3-9-82.1; & FBC Section 105.1; & IPMC Sections 301.2, 301.3, 304.1, 304.6, 304.13, 304.13.1, 304.14, 304.15, 305.1, 305.3, 505.4, & 604.3]

Rhonda Leonard Certified Code Compliance Officer provided testimony and presented photographs.

Richard Adomatis moved the Respondent is in violation as charged. The Respondent has 30 days from the rendition of this Order to clear the zoning violations; to fix, repair, or replace the International Property Maintenance Code violations to bring the property into compliance; to apply for and obtain any necessary permits. If the application for the permit is rejected, new plans shall be resubmitted within 5 days from the date of rejection and all final inspections must be obtained in accordance with the Florida Building Code. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$200.00 per day. A cease and desist order is issued for 2 years for the zoning violations. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by **Suzy Hackett** and was passed unanimously.

Case No. COD-12-00064, *Joy Snead & Countrywide Home Loan, 3325 Normandy Drive, Port Charlotte* [Section 3-2-115; & FBC Section 424.2.17; & IPMC Sections 108.1, 108.1.1, 108.1.3, 108.1.5 (3)(5)(6)(7) & (10), 108.2, 301.2, 301.3, 302.1, 302.5, 302.7, 303.1, 303.2, 304.1, 304.2, 304.4, 304.6, 304.7, 304.13, 304.13.1, 304.14, 304.15, 305.1, 305.3, 308.1, 309.1, 309.3, 501.2, 504.1, 504.3, 505.1, 505.4, 601.2, 604.1, & 604.3]

Rhonda Leonard Certified Code Compliance Officer provided testimony and presented photographs.

Suzy Hackett moved the Respondent is in violation as charged. The Respondent has 30 days from the rendition of this Order to comply with Section 3-2-115; to clear the zoning violations; to fix, repair, or replace the International Property Maintenance Code violations; to secure the pool in accordance with the Florida Building Code 424.2.17.1; and obtain any applicable permits to bring the property into compliance or remove the

structure from the property. All final inspections must be obtained in accordance with the Florida Building Code. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$150.00 per day. A cease and desist order is issued for 2 years for the zoning violations. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by *Richard Adomatis* and was passed unanimously.

Richard Adomatis had to leave the hearing and due to lack of a quorum the following cases were continued to May 2, 2012

Case No. COD-12-00007, Jeffrey Bowser & Susan Bowser, 27354 Aloha Drive, Punta Gorda [Sections 3-9-5(b), 3-9-32(d) & (f), 3-9-61, & 3-9-82.1; & FBC Section 105.1]

Case No. COD-12-00107, Bank of America, 26265 Glaspell Road, Punta Gorda [Section 3-9-5(b) & FBC Section 105.4 & 109.3]

Case No. COD-11-01434, Timothy Baker & Freedom Investment Solutions, LLC, 3648 Easy Street, Port Charlotte [Sections 3-9-32(d) & 3-9-82.1; & FBC Sections 105.4 & 109.3; & IPMC Sections 304.13.2 & 702.4]

Case No. COD-11-02693, Erich Kielb, 526 Azalea Avenue, Port Charlotte [Section 3-9-5(b) & FBC Section 105.1]

Case No. COD-11-02145, Carlos Torres & Jennifer Ortiz, 18452 Myer Avenue, Port Charlotte [Sections 2-5-72, 3-9-32(d), & 3-9-82.1; & IPMC Sections 301.3, 302.7, & 303.1]

Case No. COD-11-02594, Kathy Hollister & BAC Home Loans Servicing, 1241 Pike Avenue, Port Charlotte [Sections 3-9-32(d) & 3-9-82.1; & FBC Section 424.2.17; & IPMC Sections 301.2, 301.3, 302.7, 303.1, 303.2, 304.9, 304.13, & 304.13.1]

Case No. Cod-12-00093, David Oates & Donald Oates, 1239 Flamingo Drive, Englewood [Sections 3-9-36(d) & 3-9-82.1]

Case No. Cod-12-00301, William Shirley, Jr. & Stephanie Shirley, 21036 Peachland Boulevard, Port Charlotte [Sections 3-9-32(d) & 3-9-82.1]

Case No. COD-11-02014, Estate of Arnel D. Baker, 23216 Aberdeen Avenue, Port Charlotte [Sections 2-5-72, 3-2-115, 3-9-61, 3-9-82.1, & 3-9-32(d)]

Case No. COD-11-03104, Lauren Maxwell, 1444 Rommel Street, Port Charlotte [FBC Sections 105.4, 105.4.1.2, & 109.3]

Case No. COD-11-02860, Debra Safran & Candace Champion, 14131 Keystone Boulevard, Port Charlotte [Sections 3-9-32(d), 3-9-82.1, & 3-9-91]

XII STAFF/BOARD MEMBER COMMENTS:

Alan LeBeau stated he is concerned about the high fines being assessed against the property.

Alan LeBeau stated on a sad note that Brad Bradley passed away. He was a very dear friend of this who worked very hard serving the Board.

XIII. ADJOURNMENT

Suzy Hackett moved to adjourn the meeting. Motion was seconded by *Joan Hayes* and was passed unanimously. The meeting adjourned at 12:26 PM.

**CODE ENFORCEMENT BOARD MINUTES FOR APRIL 5, 2012
READ AND APPROVED ON MAY 2, 2012**

CODE ENFORCEMENT BOARD OF
CHARLOTTE COUNTY, FLORIDA



Alan L. LeBeau, Chairman

ATTEST:



Sandra Williamson
Administrative Assistant I

Complete files of all cases, as well as taped recordings of all proceedings of this meeting, are kept in the Community Development Department and are available to the public.